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ABSTRACT

This report recommends a legislative amendment authorizing grants to support arts and culture development programs for Alaska Natives in the same manner as such programs are currently supported for Native Hawaiians. Missionaries and school teachers who arrived in Alaska in the late 19th and early 20th centuries attempted to impress their languages, customs, and values upon Alaska Natives and encouraged the abandonment of Native arts and cultures. While U.S. policy compelled the abandonment of indigenous languages and cultures well into the 20th century, Congress has in recent years authorized special programs to enable American Indians and Native Hawaiians to recover and sustain their arts and cultures. Due to the large distance between Hawaii and the mainland United States, Congress has enacted legislation to preserve and protect Hawaiian culture separate from legislation covering American Indian culture. Similarly, support for arts and culture development of Alaska's Eskimos, Aleuts, and Indians should be provided in Alaska. A possible beneficiary of the amendment may be the Alaska Native Heritage Park, a statewide Alaska Native cultural center in planning for almost 12 years. Includes the text of the proposed amendment to Section 1521 of the Higher Education Amendments of 1986 (the Program for Native Hawaiian Culture and Arts Development) and a cost estimate from the Congressional Budget Office of approximately $2 million annually. (SV)

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INCLUDING ALASKA NATIVES IN A PROGRAM FOR NATIVE CULTURE AND ARTS DEVELOPMENT

NOVEMBER 17 (legislative day, NOVEMBER 2), 1993.—Ordered to be printed

Mr. INOUYE, from the Committee on Indian Affairs, submitted the following

REPORT

[To accompany S. 1059]

The Committee on Indian Affairs, to which was referred the bill (S. 1059) having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended, do pass.

PURPOSE

S. 1059 would amend the Native Hawaiian Culture and Arts Development Act by authorizing the Secretary of the Interior to make grants to support programs of Alaska Native arts and culture development in the same manner as such programs are currently authorized for Native Hawaiians.

BACKGROUND

Beginning with the arrival of small numbers of Russian hunters of the sea otters in the mid-eighteenth century and their settlement at a few locations in what they called "Russian America," the indigenous peoples of Alaska were first subjected to influences from beyond their shores. In the decades following the purchase of Alaska by the United States in 1867, thousands of Americans and many Europeans migrated to the newly acquired terrority. Missionaries and school teachers who arrived in the late nineteenth and early twentieth centuries were soon engaged in impressing their languages, customs, and values upon the Eskimos, Indians, and Aleuts of Alaska and encouraging the abandonment of their own arts and cultures.

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While it was Unites States policy well into the twentieth century was to compel the abandonment of indigenous languages and cultures, the Congress has, in recent years, authorized special programs to enable American Indians and Native Hawaiians to recover and sustain their arts and cultures. The most recent example is the enactment of the Native American Languages Act of 1992 (P.L. 102–524), an amendment to the Native American Programs Act of 1974, authorizing matching grants to help assure the continuing vitality of Native American languages. An earlier example (1986) is found in the Native Hawaiian Arts and Culture Development Act, which authorized grants to support arts and culture programs.

The authorizing legislation for the Institute of American Indian Arts (20 U.S.C. 4411 et seq.) including reference to Alaska Native and Native Hawaiians. Because Native Hawaiians are geographically distant from the activities of the Institute, which is located in Santa Fe, New Mexico, the Congress enacted separate legislation to preserve and protect the rich Hawaiian culture. Alaska Natives are similarly situated given the 3,000 mile distance from New Mexico to northern Alaska. As with Native Hawaiians, support for arts and culture development of Alaska's Eskimos, Aleuts, and Indians needs to be provided in Alaska.

For almost a dozen years, representatives of Alaska Native organizations have carried out planning to establish a statewide Alaska Native cultural center under the auspices of the Alaska Native Heritage Park. The Park's objectives are to preserve, portray, and transmit Alaska's Native heritage, to educate and foster understanding and appreciation of Native arts and culture among Alaska Natives and non-Natives, and to promote pride and self-esteem among Alaska Natives. Much progress has been made with funding provided by the founding organizations and others, and if the incorporators meet the criteria established in S. 1059, the Alaska Native Heritage Park could become a successful applicant once funds are appropriated pursuant to this Act.

Major Provisions of the Bill

S. 1059 would amend the Native Hawaiian Arts and Culture Act, Section 1521 of the Higher Education Amendments of 1986 (20 U.S.C. 4441) by authorizing grants for the support of Alaska Native arts and culture development, with provisions reflecting the existing provisions for Native Hawaiians.

The bill defines criteria for an applicant organization, describes purposes for which grants would be made, and requires establishment of a governing board with a prescribed membership. No amendments are made to the original Act regarding payments, recovery of overpayments, and penalties, and no change is made to that authorization of appropriations.

Legislative History

S. 1059 was introduced on May 28, 1993, by Senators Stevens and Murkowski, and the bill was referred to the Committee on Indian Affairs.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTE

On October 14, 1993, the Committee on Indian Affairs approved the bill as amended, and recommended its enactment by the Senate. Senators Inouye, Akaka, Campbell, Cochran, Conrad, Daschle, Dorgan, Gorton, Hatfield, Kassebaum, McCain, Murkowski, Nickles, Simon, and Wellstone voted in the affirmative; and Senator DeConcini voted in the negative.

SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

Section 1 provides that this Act may be cited as the "Alaska Native Culture and Arts Development Act."

SECTION 2. ALASKA NATIVE ART AND CULTURE

Section 2 amends Section 1521 of the Higher Education Amendments of 1986, the Program for Native Hawaiian Culture and Arts Development, as follows:

(a) by authorizing the Secretary of Interior to make grants to support programs of Alaska Native culture and arts development, retaining the existing authorization for Native Hawaiians and making the existing eligibility criteria organizations that primarily serve and represent Native people and which are recognized by the governors of the respective states apply to both Native Hawaiian and Alaska Native organizations;

(b) by incorporating Alaska Native provisions in the definition of purposes (scholarly studies, award of degrees, arts centers and programs) for which grants may be made;

(c) by retaining the requirement that a governing board be established with a specified membership for Native Hawaiians and requiring an Alaska Native governing board and specifying its membership.

COST AND BUDGETARY CONSIDERATIONS

The cost estimate for S. 1059, as provided by the Congressional Budget Office, is set forth below:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 10, 1993.

Hon. DANIEL K. INOUYE,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1059, the Alaska Native Culture and Arts Development Act, as ordered reported by the Senate Committee on Indian Affairs on November 1, 1993. We expect that implementation of this bill would cost approximately $2 million annually, assuming appropriation of the necessary amounts. The bill would not affect direct spending; therefore, pay-as-you-go procedures would not apply.

This bill would expand a program that provides grants for cultural programs for native Hawaiians by authorizing the Secretary of the Interior to make grants to private, non-profit organizations

for developing programs that support the culture and arts of Alaska natives. Assuming that funding would be provided at levels consistent with the native Hawaiian program, we would expect that spending to carry out the purposes of S. 1059 would be approximately $2 million annually, subject to appropriations.

We expect that enactment of S. 1059 would have no impact on the budgets of state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mary Maginniss.

Sincerely,

JAMES L. BLUM
(For Robert D. Reischauer, Director).

REGULATORY IMPACT STATEMENT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires each report accompanying a bill to evaluate the regulatory and paperwork impact that would be incurred in carrying out the bill. The Committee believes that S. 1059 will have minimal impact on regulatory or paperwork requirements.

CHANGES IN EXISTING LAW

In compliance with subsection 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes the following changes in existing law (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no changes are proposed is shown in roman):

HIGHER EDUCATION AMENDMENTS OF 1986

Sec. 1521. Program for Native Hawaiian culture *and Alaska Native* culture and arts development.

(a) IN GENERAL.—The Secretary of the Interior is authorized to make grants for the purpose of supporting programs for Native Hawaiian *or Alaska Native* culture and arts development to any private, nonprofit organization or institution which—

(1) primarily serves and represents Native Hawaiians *or Alaska Natives,* and

(2) has been recognized by the Governor of the State of Hawaii *or the Governor of the State of Alaska, as appropriate,* for the purpose of making such organization or institution eligible to receive such grants.

(b) PURPOSE OF GRANTS.—Grants made under subsection (a) shall, to the extent deemed possible by the Secretary and the recipient of the grant, be used—

(1) to provide scholarly study of, and instruction in, Native Hawaiian *or Alaska Native* art and culture,

(2) to establish programs which culminate in the awarding degrees in the various fields of Native Hawaiian *or Alaska Native* art and culture, or

(3) to establish centers and programs with respect to Native Hawaiian or *Alaska Native* art and culture that are similar in purpose to the centers and programs described in subsections (b) and (c) of section 1510.

(c) MANAGEMENT OF GRANTS.—

* * * * * * *

(2) *For any grants made with respect to Native Hawaiian art and culture,* the members of the governing board which is required to be established under paragraph (1) shall—

* * * * * * *

(3) *For any grants made with respect to Alaska Native art and culture, the members of the governing board which is required to be established under paragraph (1) shall—*

(A) include Alaska Natives and individuals widely recognized in the field of Alaska Native art and culture,

(B) represent the Eskimo, Indian, and Aleut cultures of Alaska, and

(C) serve for a fixed term.

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